

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

114th Legislative Day

December 3, 2002

PRESIDENT PHILIP:

The regular Session of the 92nd General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? Our prayer today will be given by the Most Reverend Daniel R. Jenky, Bishop of the Peoria Diocese, Peoria, Illinois. Bishop Jenky.

THE MOST REVEREND DANIEL R. JENKY:

(Prayer by the Most Reverend Daniel R. Jenky)

PRESIDENT PHILIP:

Please remain standing for the Pledge of Allegiance. Senator Radogno.

SENATOR RADOGNO:

(Pledge of Allegiance, led by Senator Radogno)

PRESIDENT PHILIP:

We've had a request from WSIU to -- Public Broadcasting to tape today. Is leave granted? Leave is granted. Reading of the Journal.

SECRETARY HARRY:

Senate Journals of Tuesday, November 19th; Wednesday, November 20th; and Thursday, November 21st, 2002.

PRESIDENT PHILIP:

Senator Wendell Jones.

SENATOR W. JONES:

Mr. President, I move that the Journals just read by the Secretary be approved, unless some Senator has additions or corrections to offer.

PRESIDENT PHILIP:

Senator Wendell Jones moves to approve the Journal just read. There being no objection, so ordered. Messages.

SECRETARY HARRY:

A Message dated November 25th, 2002, addressed to the Secretary of the Senate.

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Effective Tuesday, November 26th, 2002, I hereby resign my position as State Senator of the 56th District.

Signed by Senator Bowles.

A Message from the Secretary of State, dated December 2nd, 2002, to the Secretary of the Senate.

Dear Mr. Harry - This office is forwarding herewith copies of the Notice of Vacancy and Legislative Committee Organization from the Democratic Legislative Committee of the 56th Legislative District declaring the existence of a vacancy in the Office of Senator in the 92th General Assembly in the 56th Legislative District, as a result of the resignation of Evelyn Bowles, effective November 26th, 2002. Also enclosed is a copy of the Democratic Legislative Committee's Certificate of Appointment, along with the Oath of Office, for William R. Haine, of Alton, who was appointed to fill the vacancy in the Office of Senator, in the 92nd General Assembly, of the 56th Legislative District.

Yours truly, Jesse White, Secretary of State.

PRESIDENT PHILIP:

Committee Reports.

SECRETARY HARRY:

Senator Peterson, Chair {sic} (Vice-Chair) of the Committee on Insurance and Pensions, reports House Bill 3080 Do Pass.

Senator Syverson, Chair of the Committee on Public Health and Welfare, reports House Bill 5218 Do Pass, as Amended.

Senator Bomke, Chair of the Committee on State Government Operations, reports House Bill 4446 Do Pass, as Amended.

And Senator Petka, Vice-Chair of the Committee on Executive, reports House Bill 2643 Do Pass; House Bills 2721 and 3557 Do Pass, as Amended; Senate Bill 2079 Do Pass; Senate Resolution 517 Be Adopted, as Amended; and House Joint Resolution 83 Be Adopted.

PRESIDENT PHILIP:

Senator Demuzio, for what purpose do you rise?

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SENATOR DEMUZIO:

Point of personal privilege, Mr. President.

PRESIDENT PHILIP:

State your point.

SENATOR DEMUZIO:

Read into the record a few minutes ago was the papers that certified the appointment of a -- a new Member of the Illinois Senate. I'd like to introduce him. He takes Evelyn Bowles' position in the 56th District. She's decided to retire early. The Senator-elect -- affords him the opportunity then to become a new Member of the Illinois Senate. Let me introduce to the Senate, the former State's Attorney of the -- of the County of Madison, Bill Haine, our new State Senator. Bill.

PRESIDENT PHILIP:

Bill, welcome aboard. Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Point of personal privilege.

PRESIDENT PHILIP:

State your point.

SENATOR GEO-KARIS:

Mr. President, it's my pleasure to introduce in the President's Gallery the Vice Chairman of the County of Lake -- Lake County Central -- rather, the Lake County Committee, and her Senator -- rather, her -- her Chairman, Suzi Schmidt, of Lake County -- Lake County Board.

PRESIDENT PHILIP:

Will they please rise and be recognized by the Senate? Senator Brady, for what purpose do you rise?

SENATOR BRADY:

Point of personal privilege, Mr. President.

PRESIDENT PHILIP:

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State your point.

SENATOR BRADY:

I would like to introduce to the Senate a future constituent of mine, Joseph Hodgson. He's a fifteen-year-old from Green Valley, attends Midwest Central High School in Manito. His aunt is Leigh Benefield, who works on the Senate Appropriations staff. Please -- welcome him to the Senate.

PRESIDENT PHILIP:

Please stand and be recognized by the Senate. May I have your attention? We have a very, very special guest today. The Ambassador from Vietnam, Nguyen Tam Chien. He would like to speak to the Senate, and he's here on a good will mission. Welcome here -- welcome to Illinois, Senator -- Ambassador.

AMBASSADOR NGUYEN TAM CHIEN:

(Remarks by Vietnam Ambassador Nguyen Tam Chien)

PRESIDING OFFICER: (SENATOR PETKA)

Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, the Governor's specific recommendations for change notwithstanding, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 2058.

Passed the House, November 20th, 2002, by a three-fifths vote.

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has accepted the Governor's specific recommendations for change, which are attached, to a bill of the following title, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

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House Bill 2271.

We have a like Message on House Bill 5610.

Both adopted by the House, November 19th, 2002.

We have like Messages on House Bill 4074, 4179 and House Bill 2.

All adopted by the House, November 20th, 2002.

And a like Message on House Bill 4938.

Adopted by the House, November 21st, 2002.

A Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bills 2787 and 4736.

Passed the House, November 21st, 2002.

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill in the following title, to wit:

Senate Bill 980, along with House Amendment No. 1.

Passed the House, as amended, November 20th, 2002.

We have a like Message on Senate Bill 1240, with House Amendments 1, 2 and 3.

Passed the House, as amended, November 21st, 2002.

PRESIDING OFFICER: (SENATOR PETKA)

Mr. Secretary, have there been any motions filed?

SECRETARY HARRY:

...Mr. President. Senator DeLeo has filed a motion with respect to House Bill 2271; Senator Munoz, on House Bill 4074; Senator Madigan, on House Bill 4179; Senator Larry Walsh, on House Bill 4938; Senator Sullivan, on House Bill 5610; Senator Mahar, on House Bill 2.

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PRESIDING OFFICER: (SENATOR PETKA)

Mr. Secretary, the Chair requests that these motions be printed on the Calendar. So ordered. Senator, Brady, for what purpose do you rise?

SENATOR BRADY:

Mr. President, I rise for a point of personal privilege.

PRESIDING OFFICER: (SENATOR PETKA)

Proceed.

SENATOR BRADY:

Ladies and Gentlemen of the Senate, sitting next to me is a lady who has served in State government longer than most of us. Some of you may not recall the name of Senator Harber Hall, but Senator Harber Hall served in this Chamber approximately thirty years ago, and his able administrative assistant is sitting next to me. She went on to serve for Senator John Maitland for over twenty-five years, and after a short six months with me, she's decided to retire. But -- but I would ask you to join with me in thanking her with a round of applause for her service to State government. Bev Miller.

PRESIDING OFFICER: (SENATOR PETKA)

Will our distinguished guest please rise and be recognized?  
Introduction of Bills.

SECRETARY HARRY:

Senate Bill 2434, offered by Senator Obama.

(Secretary reads title of bill)

And Senate Bill 2435, by Senator Cronin.

(Secretary reads title of bill)

PRESIDING OFFICER: (SENATOR PETKA)

Resolutions.

SECRETARY HARRY:

Senate Resolution 544, offered by Senator Geo-Karis and all Members.

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Senate Resolution 545, offered by Senator Sullivan and all Members.

Senate Resolutions 546 through 549, by Senator Demuzio and all Members.

Senate Resolution 550, 551, 552 and 553, all offered by -- or, 552, all offered by Senator O'Malley.

Senate Resolution 553, by Senator Parker.  
They're all death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR PETKA)

Consent Calendar. House Bills 1st Reading.

SECRETARY HARRY:

House Bill 2787, offered by Senator Radogno.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR PETKA)

Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures assigned: Be Approved for Consideration - Senate Bill 1701, House Bill 3717, House Bill 4157; referred to the Committee on Judiciary - Senate Amendment 3 to House Bill 5657 and Amendment 4 to House Bill 3717; and referred to the Committee on Licensed Activities - the Motion to Concur with House Amendments 1, 3 and 6 to Senate Bill 1701.

PRESIDING OFFICER: (SENATOR PETKA)

Distinguished gentleman from Knox County, Senator Hawkinson, for what purpose do you rise?

SENATOR HAWKINSON:

For purposes of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR PETKA)

What is your announcement?

SENATOR HAWKINSON:

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The recessed Senate Judiciary Committee will reconvene at 4 p.m. in Room 400, or immediately upon adjournment.

PRESIDING OFFICER: (SENATOR PETKA)

So noted. Supplemental Calendar No. 1 has been printed, distributed, and is on the Members' desks. We will now be proceeding to that order. Distinguished gentleman from Bond County, Senator Frank Watson, for what purpose do you arise, sir?

SENATOR WATSON:

Yes. Thank you, Mr. President. Just to have the record acknowledge the fact that Senator Klemm and Senator Luechtefeld are absent due to illness.

PRESIDING OFFICER: (SENATOR PETKA)

The record shall so reflect, Senator. ...Supplemental Calendar No. 1, we find Senate Bill 2079. Senator Sullivan. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 2079.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR PETKA)

Out of the record. Supplemental Calendar No. 1 is House Bill 2643. Senator Rauschenberger. Senator Steve Rauschenberger. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 2643.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR PETKA)

3rd Reading. House Bill 2721. Senator Dillard. Senator Dillard? Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 2721.



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(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive adopted one amendment.

PRESIDING OFFICER: (SENATOR PETKA)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR PETKA)

3rd Reading. House Bill 3557. Senator Sullivan. Oh. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 3557.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive adopted one amendment.

PRESIDING OFFICER: (SENATOR PETKA)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR PETKA)

3rd Reading. House Bill 4446. Senator Bomke. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 4446.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on State Government Operations adopted one amendment.

PRESIDING OFFICER: (SENATOR PETKA)

Have there been any Floor amendments that have been approved for consideration?

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SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR PETKA)

3rd Reading. House Bill 5218. Senator Dillard. Senator Kirk Dillard. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 5218.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Public Health and Welfare adopted one amendment.

PRESIDING OFFICER: (SENATOR PETKA)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR PETKA)

3rd Reading.

PRESIDING OFFICER: (SENATOR WATSON)

House Bills 2nd Reading. House Bill 3080. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 3080.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Is there any further business to come before the Senate? There any further business to come before the Senate? If not, Senator O'Shea moves that the Senate stand adjourned until the hour of noon, Wednesday, December 4th, 2002. Have a good evening.